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Delinquency Reporting on the Web (DOW)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Cleary et al.

Serial No.: 09/683,660

Filed: January 31, 2002

For: METHODS AND APPARATUS FOR ELECTRONIC REPORTING OF
MORTGAGE DELINQUENCY

Group: 3609

Examiner: Ali, Mohamed Hatem

Durham, North Carolina
October 18, 2007Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**CERTIFICATION OF FACSIMILE TRANSMISSION**

Sirs:

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax. No. 571-273-8300 on the date set forth below

1. Evidence Establishing Common Ownership (2 pages)
2. Applicant Initiated Interview Request Form (2 pages)

Marianna Tortorelli

Printed name of person signing



Signature

Date: October 18, 2007

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Alexandria, VA 22313-1450

EVIDENCE ESTABLISHING COMMON OWNERSHIP

Dear Sirs:

The present application, U.S. Application Serial No. 09/683,660 was filed January 31, 2002. U.S. Application Serial No. 09/909,439 (Sellers) was filed July 19, 2001.

The sole grounds for rejecting claims 1-19 was a Section 102(e) rejection based on Sellers.

Sellers was commonly owned with the present invention at the time the present invention was made. Under MPEP § 706.02(1)(1), with a showing of common ownership, Sellers cannot be relied upon as prior art under 35 U.S.C. 102(e)/103.

Appl. No. 09/683,660
Evidence Showing Common Ownership
October 18, 2007

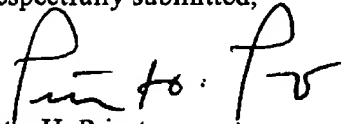
As described in MPEP § 706.02(1)(2), the rule permits the necessary showing to be made by the files referring to assignments which are recorded in the Patent and Trademark Office in accordance with 37 CFR Part 3 as long as the assignments conveyed the entire rights in the application to the same person or organization. MPEP page 700-22.

Here, the entire rights in the present application, U.S. Serial No. 09/683,660 were assigned to GE Mortgage Holdings, LLC by the assignment recorded at Reel 012755 and Frame 0746. Similarly the entire rights in U.S. Serial No. 09/909,439 were assigned to GE Mortgage Holdings, LLC by the assignment recorded at Reel 012585 and Frame 0604.

Conclusion

While Sellers is presently relied upon under 35 U.S.C. § 102(e), it does not meet the terms of the claims as previously amended. It cannot be relied upon under 35 U.S.C. 103 and consequently prompt allowance of the present claims are respectfully requested.

Respectfully submitted,



Peter H. Priest
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919-806-1600

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PTOL-413A (10-07)
Approved for use through 10/31/2007. OMB 0861-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 09/683,660 First Named Applicant: Cleary
Examiner: Ali, Mohamed H. Art Unit: 3609 Status of Application: Final Office Action

Tentative Participants:

(1) Peter H. Priest (2) Examiner Ali
(3) S.P.E. Jasmin (4) _____

Proposed Date of Interview: October 18-26, 2007 Proposed Time: 2-5 (AM/PM)

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO
If yes, provide brief description: _____

Issues To Be Discussed

| Issues (Rej., Obj., etc) | Claims/ Fig. #s | Prior Art | Discussed | Agreed | Not Agreed |
|--|--------------------|--------------|-----------|--------|------------|
| (1) <u>35 U.S.C. 102(e)</u> <u>rejection of all pending claims</u> | | | [] | [] | [] |
| (2) <u>based on commonly owned Sellers</u> <u>US 2001/004773 A1 (Sellers)</u> | | | [] | [] | [] |
| (3) _____ | | | [] | [] | [] |
| (4) _____ | | | [] | [] | [] |
| <input checked="" type="checkbox"/> Continuation Sheet Attached | | | | | |

Brief Description of Arguments to be Presented:

Sellers is relied on as the sole basis for rejecting claims 1-19, all of the pending
claims. It is commonly owned. The amendment filed June 6, 2007 amended the claims
to address features not addressed by Sellers. If relied on as an obviousness

An interview was conducted on the above-identified application on _____.
NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant/Applicant's Representative Signature

Examiner/SPE Signature

Peter H. Priest
Typed/Printed Name of Applicant or Representative
30,210

Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

U.S. Serial No. 09/683,660
Continuation Sheet
PTOL-413A

Brief Description of Arguments to be Presented:

reference, it is not available as commonly owned. A Statement of Common Ownership is enclosed herewith.